CHAIN OF CUSTODY RECORD
ENVIRONMENTAL PROTECTION AGENCY REGION VII

ACTIVITY LEADER(Print)	NAME OF SURVEY OR ACTIVITY	DATE OF COLLECTION (DAY / MONTH / YEAR)	SHEET
Li Cowles	Rockaway Beach, MO.	11 / 08 / 09	1 of 1

CONTENTS OF SHIPMENT

SAMPLE NUMBER	TYPE OF CONTAINERS: 1 Qt. CUBITAINER	1 Qt. BOTTLE	BOTTLE	BOTTLE	VOA SET (2 VIALS EA)	SAMPLED MEDIA: water	soil	sediment	dust	other	RECEIVING LABORATORY REMARKS/OTHER INFORMATION (condition of samples upon receipt, other sample numbers, etc.)
	NUMBERS OF CONTAINERS PER SAMPLE NUMBER										
4550-2	1					X					
4550-12	2	3				X					
4550-11	1	1				X					
											Clr. Temp Rec'd Ref. 0-1 °C 8/12/09

Sampling not complete for this Activity

DESCRIPTION OF SHIPMENT	MODE OF SHIPMENT
5 PIECE(S) CONSISTING OF ____ BOX(ES)	X COMMERCIAL CARRIER: Fed-EX
1 ICE CHEST(S); OTHER ____	COURIER
	SAMPLER CONVEYED — 8695 8877 5070 (SHIPPING DOCUMENT NUMBER)

PERSONNEL CUSTODY RECORD

RELINQUISHED BY (SAMPLER)	DATE	TIME	RECEIVED BY	REASON FOR CHANGE OF CUSTODY
Lyn Cowles — X SEALED / UNSEALED	8/11/09	1630	Nicole Robles 8/12/09 900AM — X SEALED / UNSEALED	Analysis
RELINQUISHED BY — SEALED / UNSEALED	DATE	TIME	RECEIVED BY — SEALED / UNSEALED	REASON FOR CHANGE OF CUSTODY
RELINQUISHED BY — SEALED / UNSEALED	DATE	TIME	RECEIVED BY — SEALED / UNSEALED	REASON FOR CHANGE OF CUSTODY

CHAIN OF CUSTODY RECORD
ENVIRONMENTAL PROTECTION AGENCY REGION VII

ACTIVITY LEADER(Print)	NAME OF SURVEY OR ACTIVITY	DATE OF COLLECTION (DAY / MONTH / YEAR)	SHEET
LYLE COWLES	Rockaway Beach MO	12 08 09	1 of 1

CONTENTS OF SHIPMENT

SAMPLE NUMBER	1 gal. CUBITAINER	1 qt. BOTTLE	BOTTLE	BOTTLE	VOA SET (2 VIALS EA)	water	soil	sediment	dust	other	RECEIVING LABORATORY REMARKS/OTHER INFORMATION (condition of samples upon receipt, other sample numbers, etc.)
4550-4	1					X					
4550-13	~~1~~ 8/13	3 8/13/09				X					
4550-13FD		3				X					
~~4550-18~~	1					X					listed twice – Removed @ SR. 8/13/09
4550-14	2					X					
4550-14FB	1					X					

All Sampling for this Activity is Complete

☆ Mislabeled OHG Sample Rec'd corrected @ SR. + email PM 8/13/09

All Temp. Rec'd bet. 0-1° – 8/13/09

DESCRIPTION OF SHIPMENT	MODE OF SHIPMENT
9 PIECE(S) CONSISTING OF ____ BOX(ES)	X COMMERCIAL CARRIER: Fed-EX
1 ICE CHEST(S): OTHER ____	___ COURIER
	___ SAMPLER CONVEYED — 869267647196 (SHIPPING DOCUMENT NUMBER)

PERSONNEL CUSTODY RECORD 8/13/09

RELINQUISHED BY (SAMPLER)	DATE	TIME	RECEIVED BY	REASON FOR CHANGE OF CUSTODY
Ly Cowles ☒ SEALED ☐ UNSEALED	8/12/09	1400	Meo Ross 915AM ☒ SEALED ☐ UNSEALED	Analyses
RELINQUISHED BY ☐ SEALED ☐ UNSEALED	DATE	TIME	RECEIVED BY ☐ SEALED ☐ UNSEALED	REASON FOR CHANGE OF CUSTODY
RELINQUISHED BY ☐ SEALED ☐ UNSEALED	DATE	TIME	RECEIVED BY ☐ SEALED ☐ UNSEALED	REASON FOR CHANGE OF CUSTODY

Sample Collection Field Sheet

US EPA Region 7
Kansas City, KS

ASR Number: 4550 **Sample Number:** 1 **QC Code:** __ **Matrix:** Water **Tag ID:** 4550-1-__

Project ID: 09COWLES60 **Project Manager:** Lyle Cowles
Project Desc: Rockaway Beach WWTP
City: Rockaway Beach **State:** Missouri
Program: Water Enforcement

Location Desc: influent

Storet ID: ____________ **External Sample Number:** ________________

Expected Conc: (or Circle One: Low Medium High)

		Date	Time(24 hr)
Latitude: ___ ___ ___	**Sample Collection: Start:**	08/11/2009	14:16
Longitude: ___ ___ ___	**End:**	__/__/__	__:__

Field Measurement

Parameter	Value	Units
Temperature :	27	Deg C
pH :	7.14	SU

Sample Comments:

(N/A)

~~add NFS~~ (~~Bottom Sample 2~~)
~~add BOD5~~

Sample Collected By: Lyle Cowles

Sample Collection Field Sheet
US EPA Region 7
Kansas City, KS

ASR Number: 4550 **Sample Number:** 2 **QC Code:** __ **Matrix:** Water **Tag ID:** 4550-2-__

Project ID: 09COWLES60
Project Desc: Rockaway Beach WWTP
City: Rockaway Beach
Program: Water Enforcement

Project Manager: Lyle Cowles
State: Missouri

Location Desc: influent

Storet ID: _____ **External Sample Number:** _____

Expected Conc: (or Circle One: Low Medium High)

		Date	Time(24 hr)
Latitude: ___ ___ ___	**Sample Collection: Start:**	08/10/2009	13:30
Longitude: ___ ___ ___	**End:**	08/11/2009	14:12

Laboratory Analyses:

Container	Preservative	Holding Time	Analysis
1 - 1 Liter Cubitainer	4 Deg C	7 Days	1 NFS or Nonfilterable Solids
1 - 1 Liter Cubitainer	4 Deg C	2 Days	1 BOD5 in Water by DO Probe

7 / cubi

Sample Comments:
(N/A)

Sample Collected By: Lyle Cowles

Sample Collection Field Sheet
US EPA Region 7
Kansas City, KS

ASR Number: 4550 **Sample Number:** 3 **QC Code:** __ **Matrix:** Water **Tag ID:** 4550-3-__

Project ID: 09COWLES60
Project Desc: Rockaway Beach WWTP
City: Rockaway Beach
Program: Water Enforcement

Project Manager: Lyle Cowles
State: Missouri

Location Desc: influent

Storet ID: _____ **External Sample Number:** _____

Expected Conc: (or Circle One: Low Medium High) **Date** **Time(24 hr)**

Latitude: ___ ___ ___ **Sample Collection: Start:** 08/12/2009 10:30
Longitude: ___ ___ ___ **End:** __/__/__ __:__

Field Measurement

Parameter	Value	Units
Temperature :	27°	Deg C
pH :	7.65	SU

Sample Comments:
(N/A)

Sample Collected By: Lyle Cowles

Sample Collection Field Sheet
US EPA Region 7
Kansas City, KS

ASR Number: 4550 **Sample Number:** 4 **QC Code:** __ **Matrix:** Water **Tag ID:** 4550-4-__

Project ID: 09COWLES60 **Project Manager:** Lyle Cowles
Project Desc: Rockaway Beach WWTP
City: Rockaway Beach **State:** Missouri
Program: Water Enforcement

Location Desc: influent

Storet ID: _____ **External Sample Number:** _____

Expected Conc: (or Circle One: Low Medium High) **Date** **Time(24 hr)**

Latitude: ___ ___ ___ **Sample Collection: Start:** 08/11/2009 14:50
Longitude: ___ ___ ___ **End:** 08/12/2009 11:00

Laboratory Analyses:

Container	Preservative	Holding Time	Analysis
1 - 1 Liter Cubitainer	4 Deg C	7 Days	1 NFS or Nonfilterable Solids
1 - 1 Liter Cubitainer	4 Deg C	2 Days	1 BOD5 in Water by DO Probe

7 lab

Sample Comments:

(N/A)

Sample Collected By: Lyle Cowles

Sample Collection Field Sheet
US EPA Region 7
Kansas City, KS

ASR Number: 4550 **Sample Number:** 11 **QC Code:** __ **Matrix:** Water **Tag ID:** 4550-11-__

Project ID: 09COWLES60
Project Desc: Rockaway Beach WWTP
City: Rockaway Beach
Program: Water Enforcement

Project Manager: Lyle Cowles
State: Missouri

Location Desc: effluent

Storet ID: _____ **External Sample Number:** _____

Expected Conc: (or Circle One: Low Medium High) **Date** **Time(24 hr)**

Latitude: ___ ___ ___ **Sample Collection: Start:** 08/11/2009 13:55

Longitude: ___ ___ ___ **End:** __/__/__ __:__

Field Measurement

Parameter	Value	Units
Temperature :	28	Deg C
pH :	7.26	SU

Laboratory Analyses:

Container	Preservative	Holding Time	Analysis
1 - 1 Liter Cubitainer	5 mL H2SO4/L	28 Days	1 Ammonia in Water by Automated Distillation
1 - 1 Liter Cubitainer	5mL H2SO4 to pH<2.5, 4 Deg C	28 Days	1 Total Phosphorus in Water, Colorimetric
1 - 1 Liter glass	4 Deg C, HCL to pH<2	28 Days	1 Oil & Grease in Water

> 1 cubi

Sample Comments:

(N/A)

Mislabeled - 8/21/09

Sample Collected By: Lyle Cowles

Sample Collection Field Sheet

US EPA Region 7
Kansas City, KS

ASR Number: 4550 **Sample Number:** 12 **QC Code:** __ **Matrix:** Water **Tag ID:** 4550-12-__

Project ID: 09COWLES60
Project Desc: Rockaway Beach WWTP
City: Rockaway Beach
Program: Water Enforcement

Project Manager: Lyle Cowles
State: Missouri

Location Desc: effluent

Storet ID: _____ **External Sample Number:** _____

Expected Conc: (or Circle One: Low Medium High)

Latitude: ___ ___ ___
Longitude: ___ ___ ___

	Date	Time(24 hr)
Sample Collection: Start:	08/10/2009	11:35
End:	08/11/2009	13:45

Field Measurement

Parameter	Value	Units
Flow :	_____	~~MGD~~ gpd per T/M FS. 5/13

Laboratory Analyses:

Container	Preservative	Holding Time	Analysis
1 - 1 Liter Cubitainer	4 Deg C	7 Days	1 NFS or Nonfilterable Solids
1 - 1 Liter Cubitainer	4 Deg C	2 Days	1 BOD5 in Water by DO Probe

Sample Comments:

(N/A)

all Flow data will be provided later by P.O.

Sample Collected By: Lyle Cowles

Sample Collection Field Sheet
US EPA Region 7
Kansas City, KS

ASR Number: 4550 **Sample Number:** 13 **QC Code:** __ **Matrix:** Water **Tag ID:** 4550-13-__

Project ID: 09COWLES60 **Project Manager:** Lyle Cowles
Project Desc: Rockaway Beach WWTP
City: Rockaway Beach **State:** Missouri
Program: Water Enforcement

Location Desc: effluent

Storet ID: _____ **External Sample Number:** _____

Expected Conc: (or Circle One: Low Medium High) **Date** **Time(24 hr)**

Latitude: ___ ___ ___ **Sample Collection: Start:** 08/12/2009 10:30
Longitude: ___ ___ ___ **End:** __/__/__ __:__

Field Measurement

Parameter	Value	Units
Temperature :	26.6	Deg C
pH :	7.36	SU

Laboratory Analyses:

Container	Preservative	Holding Time	Analysis
1 - 1 Liter Cubitainer	5 mL H2SO4/L	28 Days	1 Ammonia in Water by Automated Distillation
1 - 1 Liter Cubitainer	5mL H2SO4 to pH<2.5, 4 Deg C	28 Days	1 Total Phosphorus in Water, Colorimetric
1 - 1 Liter glass	4 Deg C, HCL to pH<2	28 Days	1 Oil & Grease in Water

Sample Comments:

(N/A)

Mislabeled
8/21/09

Corrected @ SR on 8/13/09

Need 3 for 3-FD. MS/MSD volume is not to be collected on a FD or FB sample as noted on previous ASR email

Sample Collected By: Lyle Cowles Sent to PM 8/13/09

Sample Collection Field Sheet
US EPA Region 7
Kansas City, KS

ASR Number: 4550 **Sample Number:** 13 **QC Code:** FD **Matrix:** Water **Tag ID:** 4550-13-FD

Project ID: 09COWLES60 **Project Manager:** Lyle Cowles
Project Desc: Rockaway Beach WWTP
City: Rockaway Beach **State:** Missouri
Program: Water Enforcement

Location Desc: _____

Storet ID: _____ **External Sample Number:** _____

Expected Conc: (or Circle One: Low Medium High) **Date** **Time(24 hr)**

Latitude: ___ ___ ___ **Sample Collection: Start:** 08/12/2009 10:30

Longitude: ___ ___ ___ **End:** __/__/__ __:__

Laboratory Analyses:

Container	Preservative	Holding Time	Analysis
1 - 1 Liter glass	4 Deg C, HCL to pH<2	28 Days	1 Oil & Grease in Water

~~1~~ 3 ~~X~~ 8/13/09

Sample Comments:
(N/A)

See F3 for #13 8/13/09

Sample Collected By: Lyle Cowles

Sample Collection Field Sheet
US EPA Region 7
Kansas City, KS

ASR Number: 4550 **Sample Number:** 14 **QC Code:** __ **Matrix:** Water **Tag ID:** 4550-14-__

Project ID: 09COWLES60 **Project Manager:** Lyle Cowles
Project Desc: Rockaway Beach WWTP
City: Rockaway Beach **State:** Missouri
Program: Water Enforcement

Location Desc: effluent

Storet ID: _____ **External Sample Number:** _____

Expected Conc: (or Circle One: Low Medium High) **Date** **Time(24 hr)**

Latitude: ___ ___ ___ **Sample Collection: Start:** 08/11/2009 14:55
Longitude: ___ ___ ___ **End:** 08/12/2009 11:00

Field Measurement

Parameter	Value	Units
Flow :	_____	~~MGD~~ gpd

Laboratory Analyses:

Container	Preservative	Holding Time	Analysis
1 - 1 Liter Cubitainer	4 Deg C	7 Days	1 NFS or Nonfilterable Solids
1 - 1 Liter Cubitainer	4 Deg C	2 Days	1 BOD5 in Water by DO Probe

Sample Comments:

(N/A)

12: M - Tues. ≅ 240,000

14: Tues - Wed 237,000 gpd 8/13/09

Sample Collected By: Lyle Cowles

Sample Collection Field Sheet
US EPA Region 7
Kansas City, KS

ASR Number: 4550 **Sample Number:** 14 **QC Code:** FB **Matrix:** Water **Tag ID:** 4550-14-FB

Project ID: 09COWLES60 **Project Manager:** Lyle Cowles
Project Desc: Rockaway Beach WWTP
City: Rockaway Beach **State:** Missouri
Program: Water Enforcement

Location Desc: _____

Storet ID: _____ **External Sample Number:** _____

Expected Conc: (or Circle One: Low Medium High) **Date** **Time(24 hr)**

Latitude: ___ ___ ___ **Sample Collection: Start:** 08/12/2009 10:30

Longitude: ___ ___ ___ **End:** __/__/__ __:__

Laboratory Analyses:

Container	Preservative	Holding Time		Analysis
1 - 1 Liter Cubitainer	5 mL H2SO4/L	28	Days	1 Ammonia in Water by Automated Distillation
1 - 1 Liter Cubitainer	5mL H2SO4 to pH<2.5, 4 Deg C	28	Days	1 Total Phosphorus in Water, Colorimetric

Sample Comments:

(N/A)

Sample Collected By: Lyle Cowles

CITY OF ROCKAWAY BEACH

ROCKAWAY BEACH, MISSOURI 65740

OFFICE OF THE CITY CLERK
Post Office Box 315
Telephone (417) 561-4424

MAYOR:

CLERK:

September 19, 2007

ATTN: Joe Joslin
U.S. Environmental Protection Agency
ENSV/EMWC
901 North 5th Street
Kansas City, KS 66101-2907

This letter is in response to your September 11, 2007 inspection of Rockaway Beach Wastewater Treatment Facility.

Background

This section is not an excuse, but it is important to understand what contributed to the problems in the Wastewater Treatment Facility. This city administration was elected and took over the controls of the city of Rockaway Beach in May 2007. The city went through some turmoil the past several years and things that should have been happening were not. The city is several years behind in maintenance, repairs, upgrades, and financial status from where they should be. So the new administration has been putting out fires and playing catch up on projects and maintenance of the infrastructure. All this must be done on a very small budget, but it still must be done properly. The town has been a depressed town for many years, which means there is not much money available to update and maintain the infrastructure.

The Wastewater Treatment plant used to be owned and used by Rockaway Beach only (599 Residents). A few years ago, the plant was expanded and turned into a regional plant for Merriam Woods, Bull Creek, Taney County and Rockaway Beach. But Rockaway Beach maintained the license and responsibility to operate the plant. So the plant was physically expanded to service the other cities, but they did not increase the work force of one. Since that time period Bull Creek and Merriam Woods have been growing at an alarming rate. So the workload in the facility has been dramatically increasing at the same rate and the work force has not expanded. The added problem is the work force of one is also a city employee, who has a responsibility for all the other maintenance of the city of Rockaway Beach. We also have 70-year-old water lines that are breaking faster than we can fix them with the same workforce who maintains the Wastewater Treatment Plant. He could be working in the plant (doing test) and be pulled out to fix a water line break. Then he would have to go back and start the test again. But he would have to be doing this retest after hours or in the middle of the night. This work force of one cannot even take a vacation, he has to stay in town to insure the plant continues to operate.

This problem was recognized by this administration several weeks ago, and we have requested bids from two companies to operate the plant. The bids came back with a cost of $12,000.00 a month. This is way out of the price range we can afford to pay. We have been looking for other solutions to the problem. The DNR is assisting us in locating a qualified plant operator (with an A or B license) to take over the Rockaway Beach Wastewater Treatment Facility operation on a full time basis. We do understand that we are still responsible for the operation, since the license is in our name. We are developing a process that allows us to maintain a check and balance of the operations, maintenance and testing in the plant. In the short term an Alderman or I will personally be checking the testing, maintenance and operations in the plant.

This is not an excuse for our prior actions. It is just to let you know we saw some problems and we were in the process of trying to correct them. The EPA inspection actually had good timing; it showed us other problems that we (City Administration) are not smart enough at present time to have caught.

ACTIONS:
I will work down the list of violations and describe our short and long-term actions that we are taking and at the end I will cover long-range plans that will make sure the regulations are followed.

OPERATING PROCEDURES:
Presently the Water Sewer Committee and myself are developing a Standing Operating Procedures (SOP) (by the regulations) for the Wastewater Treatment Plant. In this SOP will be a check and balance process that insures the plant operates by the regulations and in an ethical manor. Until this process is put into place an Alderman or myself will make daily visits to the plant and check the tests and reports.

Item # 1

Short Term: In the process of going back and documenting the bypassing data and putting it into the historical documents. Cleaned the filters and started running the water thru the filterization process.

Long Term: Adding this process to the check and balance process to insure this data is documented and reported according to the regulations. Added filter cleaning to the daily maintenance checklist.

Item # 2: Failed to maintain the UV System.

Short Term: We have called the repair company to come out and fix the UV system to include the cleaning system.

Long Term: We have added the UV system into our daily maintenance checklist. The system will be checked daily to insure it is operational to include the cleaning system. If required, the operator will clean the lights manually. We have also added into the maintenance process to manually pull the lights out to physically inspect at least once a week.

Item # 3: Failed to maintain the Air Blower System.

Short Term: We had already hired Archer Engineering to look into and make a recommendation on the proper blower size required. We calling a company in to pull maintenance on the blowers to ensure they are working the best as possible, until we can get the engineering study with the modification recommendation and the modification done to the blowers and oxidation ditch.

Long Term: We have a contract in place with Archer Engineering to look at the blowers System and recommend a solution to the problem. Also will extend the contract to recommend a modification to the aeration system in the oxidation ditch to increase effectiveness of the oxidation process. Will be adding the blower system to our preventive maintenance process and to the daily maintenance program.

Item # 4: Pressure Relief valve on blower # 1 is frozen.

Short Term: Have called a company in to repair the valve.

Long Term: Added the blowers system to include the valves into the daily maintenance checklist and preventive maintenance program.

Item # 5: Failed to maintain and calibrate the flow measuring equipment.

Short Term: Getting the flow meters calibrated immediately and moving the Merriam Woods and Bull Creek head sensors to the proper location.

Long Term: A record showing when the equipment was calibrated and when it is do for calibration is being developed for all equipment that requires calibration. All flow meters have been added to the calibration list and process and historical documents will be maintained.

Item # 6: Failed to maintain the east aeration tank/clarifier.

Short Term: Presently hiring someone to clean the Aeration tank/Clarifier out and then will pull maintenance checks on the system. Soon as this is complete, we will operate the system with water to insure the system is operational and structurally safe. Once this is complete, we will start using the tank.

Long Term: Will start alerting the use of the tanks and start cleaning the tanks on an annual basis. Have added the tanks to the daily maintenance checklist and preventive maintenance process.

Item # 7: Failed to maintain records

Short Term: Having one of the clerks go to the plant and set up a filing system for all records and documentation according to the regulations. And she will teach the plant operator how to properly maintain the filing system.

Long Term: Will continue to improve the records keeping in the plant. Will automate the records and process, with back up historical records being kept according to the regulations. Will be added to the check and balance process to insure all records and

historical documents are maintained by regulations.

Item # 8: The NPDES permit requires composite samples for BOD, TSS and the wet test.

Short Term: Using Grab samples only for the BOD and TSS composite samples.

Long Term: Will add this to the check and balance process we are developing to insure all test and regulation processes are followed.

Item # 9: The test procedure equipment and method available to determine ammonia and total phosphorus ASP fail to meet the requirements.

Short Term: Will start having these tests done by the Forsyth Wastewater Facility, until the proper test equipment is bought and methods are developed per regulations.

Long Term: Will add this process to the check and balance process and insure the operator is continually educated on the process and changes.

Item # 10 Process control tests are not being performed at the specified frequency.

Short Term: Reviewed the required frequency and started following that requirement.

Long Term: Will be added to the new check and balance process to insure the frequency is followed.

Item # 11: The outfall is not clearly marked in the field.

Short Term: Have marked the outfall in the field according to regulations.

Long Term: Will add checking the outfall to the maintenance checklist to insure it is clearly marked and visible.

Item # 12: Semi annual reports have not been submitted with the April and October DMRs.

Short Term: We are gathering the data and preparing these reports to bring us up to date.

Long Term: Will add these reports to the check and balance process being developed to insure the information is maintained in the historical documents and the reports are reported on time.

Item # 13: Failed to submit the 2006 sludge report.

Short Term: Preparing the 2006 sludge report and will submit as required.

Long Term: Will add this report to the new check and balance process to ensure the data is maintained in the historical documents and the reports are submitted on time.

Item # 14: Determination of BOD, TSS, PH, FC, TP, NH3-N, and O&G test were not performed.

Short Term: Having these tests performed and submitting report. Will maintain the information from these reports in the historical documentation.

Long Term: Will add these tests to the check and balance process to insure the tests are performed and reported according to the regulations.

CONCLUSION

We understand we have some serious problems in the Rockaway Beach Wastewater Treatment Facility. As you can see we have a plan to fix the problem areas immediately, and clean up the facility, but we also understand we need to insure there is a long term process, so we are re-engineering our business process in the facility.

CLEAN UP OF FACILITY

We are hiring a person to clean the facility inside out. We will be cutting down all the weeds, hauling off all the junk and high pressure cleaning all the building inside and out. Then we will maintain the facility on a scheduled basis.

MAINTANING RECORDS

We are having one of our clerks in the Facility next week developing a filing system that will insure proper maintenance of our records and historical documents. Will also develop daily spreadsheets that will be maintained daily on all test and reporting requirements. Will be working on automating the reporting and testing process.

FILES AND HISTORICAL DATA

We will be working with DNR and EPA in re-engineering our business processes in the Wastewater Treatment Facility to include a check and balance process. Report requirements will be included in this process to insure they are accurate and submitted accurately and on time.

MAINTENANCE

We are developing maintenance and a preventive maintenance program to insure the facility and all equipment is maintained properly. This maintenance program will also include calibration records and timelines when each piece of equipment must be calibrated on a regular schedule.

OVERSITE

Our Alderperson who heads the water/sewer committee will be overseeing the wastewater Treatment Facility. I will also stay involved myself with plant operation. Will give DNR our phone numbers, so they can contact the Alderperson or myself at any time.

PLANT OPERATOR

Our plant operator has not had the time to run and maintain the plant properly. But it is no

excuse for his actions. He will be working in the facility and get called out for some emergency in the city (mostly broken water lines). He is a city employee who is also responsible for our water system, all the city-required maintenance to include street maintenance etc. So he has been spread very thin for years and is in burn out stage. He has not been supported by the past administration when he has requested assistance. This administration did see this and so we have been in the process of looking for a professional company or a professional plant operator to run our facility on a full time basis. DNR is sending us a list of qualified plant operators.

PRESENT PLANT OPERATOR

The employee who operated the plant will be counseled and be given a Letter of Reprimand that will be in his employee file. In that reprimand he will be advised that if any other incident happens to include integrity violation, he will be released from employment from the City. He will also be put on probation for a period of time, (time frame will be determined by the city council).

He will be sent to continuing education course to ensure he knows his responsibility and stays up on all changes in requirements.

MAYOR'S REQUEST

We take full responsibility for the problems in the Rockaway Beach Wastewater Treatment Facility. I would like to request that neither EPA nor DNR fine Rockaway Beach or their employee. This administration would like the opportunity to fix the problem and discipline our employee. This would allow Rockaway Beach to use this money to fix the facility and set up a business, maintenance process to insure this facility operates above and beyond the regulations. I will personally guarantee when we get done you can use our facility as an example of how Wastewater Treatment Facilities should operate.

I have to complement your inspector for performing his job in a very professional manner. He not only inspected, he took the time to teach us as we went through the inspection.

Thanks for your time and look forward to working with you in the future.

Respectfully,

Lawrence E. Cline, Mayor
City of Rockaway Beach, MO

STATE OF MISSOURI
Jeremiah W. (Jay) Nixon, Governor • Joseph P. Bindbeutel, Acting Director
DEPARTMENT OF NATURAL RESOURCES
www.dnr.mo.gov

January 29, 2009

The Honorable Lawrence Cline, Mayor
City of Rockaway Beach
P.O. Box 315
Rockaway Beach, MO 65740

Re: Rockaway Beach Wastewater Treatment Facility, Taney County, MO-0108162

Dear Mayor Cline:

The City of Rockaway Beach is in violation of its Missouri State Operating Permit MO-0108162 for failing to submit complete discharge monitoring reports for outfall 001 for the months of July – October and December 2007 and January – April 2008. Failure to submit complete discharge monitoring reports is a violation of Section 644.076.1, RSMo, and 10 CSR 20-7.015(9)(A)1.

It is requested that the City explain the reason for the noncompliance and identify what actions have been taken or will be taken to assure there are no further violations. Enforcement action will be initiated if the City fails to correct these violations. Please respond within ten (10) days of receipt of this letter.

If you have any questions regarding this letter, you may contact me at P.O. Box 176, Jefferson City, Missouri 65102-0176 or (573) 751-9391 or by fax (573) 522-9920.

Sincerely,

WATER PROTECTION PROGRAM

Elena M. Seon
Environmental Specialist III

EMS/cmh

c: Ms. Cindy Davies, Southwest Regional Office
Ms. Cynthia Sans, Environmental Protection Agency
Mr. Paul Dickerson, Water Protection Program

CITY OF ROCKAWAY BEACH

ROCKAWAY BEACH, MISSOURI 65740

OFFICE OF THE CITY CLERK
Post Office Box 315
Telephone (417) 561-4424

MAYOR:

CLERK:

March 3, 2008

Cynthia Sans
United States Environmental Protection Agency
Region 7
901 North 5th Street
Kansas City, Kansas, 66101

RE: Rockaway Beach Wastewater Treatment Facility
NPDES Permit No.: MO-0108162

Dear Ms. Sans:

Enclosed with this response letter please find the following, as per requested in your letter of February 5, 2008, Information Request-Enclosure 2.

1a. Daily Monitoring Reports from January 2005 through the present
2a. Bench Sheets and/pr laboratory analyses results attached to corresponding DMRs.*
3a. Sludge sampling bench sheets and/or laboratory analyses results for the Period 2004 through the present
4a. Sludge application logs from 2004 through the present.

* Some discrepancy was noted between the DMRs and the Bench Sheets. Since November, 2007, our new Plant Manager, Allen Bush, noted the discrepancies and has complete all DMRs and Bench Sheets in compliance with requirements.

Referencing your letter of December 31, 2007, Recommendations

Recommendations number 1 through number 9 have been addressed in the Plant Manager's Response Document Exhibit Number 1, with the exception of Number 6 and Number 10. The response to Number 6 is addressed in the Preventative Maintenance Program Exhibit Number 2.

Number 10. The intended use of the portable generator is being investigated by the Plant Manager. The better operation of the switch gear is being researched.

Referencing letter of February 5, 2008, Section V. Order of Compliance 31 though 38.

Also please find a report from Allen Bush the new plant manager. This report summarizes the condition and the up dates that have been established in the Regional Sewer Plant.

The time lines were noted as stated in each of there Orders of Compliance and all repairs and reports will meet the time lines as required within this Section V.

We sincerely believe you will find the above information and the enclosed supporting documents as a true and worthy effort to comply with the requests and recommendations of the Environmental Protection Agency.

If we can of service to you in any please do not hesitate to let us know.

Sincerely yours,

Lawrence E. Cline
Mayor

To: The Board of Alderpersons/ Regional Sewer Board

Re: Past DMR's for Plant

From: Plant Manager

I have been reviewing the copies of past dmr and bench sheets for lab. reports forms that were gave to the city.

I have not consumed a lot of time in reviewing the past sheets and the ones I have reviewed are not complete. Such as the suspended solids test shows the weights but not the mg/l that was used. The ph. test would have temperature compensated analysis in order to be correct and the d.o. would also have to be temperature compensated to be accurate. In the group of dmr's were missing sludge reports and I and I form that needs to be sent to dnr.

The City has purchased new lab. equipment for ph and do. that are temperature compensated. At this time the city and plant manager are setting up bench sheets and data sheets as well as a tracking program for the plant.

General report on the operation of plant.

We have both ditches on line and operating as designed at this time. We are using two blowers now, one for each ditch and have them set on timers for off and on. We are using the waste sludge basin for holding and have the surface aerator operating. The existing ditch from the old plant is operating for waste sludge as well as the existing clarifiers. The sludge pumps that were existing for the clarifiers do not work and are to small of horse power to move the thickened sludge to the waste basin holding. We are using a different pump that we set in each clarifier to move the sludge to basin.

At this time I feel we have made good strides in getting the plant back in operating condition and have a way to go to complete the task.

Response to EPA Order for Compliance ATTACHMENT D

EXHIBIT 1

Re: Regional Sewer Plant

From: Allen Bush, Plant Manager

We have been working diligently toward complying to the counts in the violation order received from the Department of Environmental Protection Agency.
The counts will be answered in the order presented.

Count 1 Failure to Sample

Section 16 states what is required on the operating permit for sampling and analyzing.

Section 17 States that the respondent failed to follow section A of operating permit by not sampling the effluent and having falsified the DMR reports by indicating the samples had been collected and analysis.

Response: Take samples as required by the operating permit and use reagents and techniques that are allowed by DNR and EPA. 24 hour sampler is being used for sampling at this time and in the future.

Count 2 Improper sampling procedures

Section 18 states what is contained in the Standard Conditions of part 1 and section A.1 a. Which states the requirements and sampling procedures for the plant. Mainly a 24 hour sample of effluent before the effluent joins any source of water or additive for dilution. The respondent stated that it collects grab samples rather than composite. The grab samples do not conform to section A.

Section 19 States from Federal regulations that the required test to determine total ammonia as N and total phosphorus as P. The required test for the two substance require digestion in the initial steps were not performed. Which is improper sampling procedure.

Section 20 States the Missouri regulation that requires operational test be performed. The respondent was not performing the test as required.

Response: The Regional Plant purchased a 24 hour composite sampler and use the sampler once a week for effluent sampling. The sampler is set up in the filter building, due to the ambient weather and conditions of winter months. The influent is sampled by hand or called a modified composite sample. We take a grab sample every 2 hours during

normal business hours. The grab sample for influent is approx. 300 mls. And added to a container for mixing. The sampling is 2,/ 8 hour days, which gives us approx. 2500 ml to set up test as required by the operating permit. 2 more 24 hour samplers have been ordered and we are waiting for delivery. The test for total ammonia is completed by electrode and digital read out using Standard method 4500-NH3 test procedure . The test for total phosphorus is completed by using the Standard methods test Number 4500-p with initial digestion.

Performing the operational tests as required for operation of plant, settleometer, suspended solids, ammonia, phosphorus, ph. D.o.

Count 3 Failure to retain records

Section 21 States in Standard conditions of the operating permit part I section A 7 that respondent retain all records for a period of three years from the date of sampling or calibration and maintenance records and all original strip chart records for recording continuous flow monitoring.

The respondent failed to maintain the records as required for permit compliance.

Response: We have started a filing system and monitoring for maintenance and calibrations.

Count 4 Facilities operation

The Standard conditions of permit , part I, section B,3 requires the respondent to operate and maintain the treatment plant to comply with Missouri clean water law and applicable permit conditions.

A. Respondent failed to maintain flow measuring equipment, specifically.

i the inflow and effluent monitoring devices had not been calibrated

Response: We hired Haynes Equipment to come and calibrate and or repair the flow meters and sending heads.

ii The head detector for the combined Merriam Woods- Bull Creek flow was not mounted at the proper location of the converging section of the Parshall Flume.

Response: Haynes Equipment checked and calibrated the flow measuring device for MW-BC and sent a calibration report to the regional sewer plant and is retained in records. A copy will be attached.

iii The flow meter for Rockaway Beach was not accurately measuring flow.

Response: Haynes Equipment checked the flow device for measuring and found the detector head was not working. He could not calibrate the unit until he ordered

and installed a new head. At this time the flow device has been repaired and calibrated and we are waiting on his report to be sent to us.

b States that the respondent failed to maintain the blower system to provide adequate aeration in the oxidation ditch for effective treatment. At the time of the inspection the dissolved oxygen measured 1.5 and the appropriate level for treatment is no greater than 0.4 .

Response: I feel that the numbers were turned around and should have stated the d.o. level at time of inspection was 0.4 mg/l and for treatment purposes should be 1.5 mg/l. The problem at the time goes back to inoperable motive pumps which helps turn the air into fine to course bubbles. At this time the west ditch is at 2.5 to 3.0 mg/l when blower is on and when blower is off for 30 minutes. The d.o. goes down to zero as we need for biologic treatment.

c Respondent failed to maintain the east aeration tank and clarifier in an operable condition.

Response: At this time the east ditch is full and online and operating along with the west ditch.

d Respondent failed to maintain the U.V. system in a functioning mode.

Response: The respondent hired a company named Enviro-line to repair the electronics and repair the unit in a working order. At this time enviro-line has removed the non-working led indicating lamps and are repairing the lamps for proper working order. At this time we do not use the U.V. system. We have a seasonal clause in operating permit. Between the months of October 31 to april 1 we do not treat for fecal.

Count 5 Failure to Report

23 special conditions of the operating permit states that the respondent turn in a report with the dmrs for October and April that in turn states what the respondent has done to find and repair sources of inflow and infiltration of the sewer system.

Response: At this time we are working on a report for April dmr

24 Standard conditions of the operating permit states that and annual report on sludge handling and application of the previous year.

Response: Respondent has made changes to sludge application and no sludge has been removed from plant site as of this letter. We have made some forms and have put into action a sampling program per load hauled and a form for

each day that sludge is hauled asking certain questions. Copy of such forms are attached.

25 Standard conditions of the operating permit state that when a bypass happens you must notify MODNR within an allotted time period and follow up with a written response in 5 days. EPA inspection found the filters were plugged and the flow was being diverted past the U.V. system as well as the filters.

Response: The respondent has repaired the backwash pumps and since November 1 have been using the filters and the filters have been operating as designed.

Count 6 Wrongful Sludge Application

26 Standard conditions of the operating permit incorporate conditions of the federal sludge disposal requirements and establish pollutant limits and managerial practices and operational procedures. The pathogen can be land applied have to be under 2,000,000 most probable number of fecal. The respondent applied sludge which was over the maximum number.

Response: The respondent will hold sludge longer and put into effect a more stringent sludge plan.

Count 7 Inadequate Outfall Marking

Special conditions of the operating permit state that the plant outfall be clearly marked for identification.

27 The outfall was not marked at all.

Response: A metal sign was made and states the outfall number and name of outfall and has been installed on a metal post and the post has been installed at the last manhole of the outfall.

Count 8 Bypass

28 During the EPA inspection. It was found that the sand filter backwash pumps had failed and and the filters were plugged and running over at a place that was bypassing the U.V. channel and going directly to the lake.

Response: The backwash pumps have been repaired and installed and have been operating as designed since November 1,2007.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

VIA ELECTRONIC AND REGULAR MAIL

May 19, 2008

Barney Naioti, Esq.
P.O. Box 7238
Branson, MO 65615

Re: City of Rockaway Beach, Missouri
Pre-Filing Negotiations and
Findings of Violation/Order for Compliance
Docket No. CWA -07-2008-0031

Dear Mr. Naioti:

This is a follow-up to the conversation we had today regarding the status of pre-filing negotiations to resolve the penalty for violations of the Clean Water Act by the City of Rockaway Beach (City) and to address compliance issues with the above-captioned Order recently issued by the U.S. Environmental Protection Agency (EPA) to the City.

Pre-Filing Negotiations

On April 29, 2008, I transmitted to you by electronic mail an ability to pay form for the City to complete in order that EPA may take into account its financial circumstances in EPA's calculation of a penalty. The 60-day pre-filing negotiation period will expire on June 30, 2008. In order for EPA to have sufficient time to evaluate the City's financial condition, we will need the ability-to-pay form completed and submitted to me no later than June 2, 2008. Please advise your client that the opportunity to reduce the penalty for quick settlement may not be available if that timeline is not met.

Findings of Violation/Order for Compliance Docket No. CWA -07-2008-0031

On February 5, 2008, EPA transmitted to the City the administrative order captioned above (Order). A copy is enclosed with this letter. The Order requires the City to submit certain deliverables within a specified timeframe. EPA has not received a number of the required submittals. The following matters should be addressed immediately:

Paragraph 33: The City has not submitted a sludge report for 2007. EPA understands that the only information the City has pertains to the number of loads hauled from the plant in 2007. The City should send a letter to

MDNR with a copy to EPA describing its inability to provide the 2007 sludge report and verify that there are now systems in place to prevent this from recurring.

Paragraph 34: January and February 2008 Discharge Monitoring Reports (DMRs) and all other information required by this paragraph should have been sent to EPA on March 10, 2008. The City must send the March, April and May 2008 DMRs and other information required by Paragraph 34 by June 10, 2008.

Paragraph 35: The City must send a copy to EPA of the Inflow & Infiltration (I & I) report which the City sent to MDNR in April 2008.

Paragraph 31/36: The City must provide EPA a letter stating whether i) all Operation &Maintenance (O & M) and other violations have been addressed; ii) all equipment repaired and in working order; iii) all items addressed in the City's September 19, 2007 letter to Joe Joslin have been repaired/purchased; and v) the U.V. equipment functioning properly.

Please note that failure to comply with this Order may result in a separate violation of the Clean Water Act for which EPA could seek additional penalties.

Sincerely,

Audrey B. Asher

Audrey B. Asher
Senior Assistant Regional Counsel

enclosure
cc: Cynthia Sans, WWPD